

MINUTES FOR July 1, 2010
MEETING OF THE PEDESTRIAN AND TRAFFIC SAFETY ADVISORY COMMITTEE

Members Present: Erwin Mack, Chair; Ramin Assa; John Britton, Municipal League; Justin Clarke, MNCPPC; Richard Romer representing Councilmember Ervin; Alan Migdall; Alyce Ortuzar; Peter Moe, MSHA; Colleen Mitchell, Vice-chair; David Sharp

Members Absent: James D'Andrea, MCPS; Steve Friedman; Arthur Holmes, MCDOT Director; Ken Hartman, BCC Regional Service Center; Lt. James Humphries, MCPD; Jack Strausman; Bill Bronrott

County Staff: Jeff Dunckel, Pedestrian Safety Coordinator, MCDOT; Margaret Boumel, SRTS, MCDOT; William Selby, MCDOT; Tom Pogue, MCDOT

Guests: Edna Miller; Zachary Levine

- | | |
|--|----------------------|
| 1. Committee Business: | Erwin H. Mack, Chair |
| - Review Minutes from May Meeting – Approval/Changes | |
| - Reappointment of Committee Members Assa and Ortuzar | |
| - Selection of candidates for new term – Bronrott Replacement | |
| - Pedestrian Safety featured at Maryland Municipal League Convention | |
| 2. Subcommittee Reports, Updates, and Recommendations: | |
| - Speed Humps | John Britton |
| - Sidewalks-Ped Network | Alyce Ortuzar/ |
| | Ramin Assa |
| - Bicycle Access and Safety | Peter Moe/ |
| Report on Legislative Session | Steve Friedman |
| 3. Pedestrian Safety Budget – FY 11 | Jeff Dunckel |
| - Budget for FY 11 | |
| - Process for FY 12 Budget Request | |
| 4. Contributory Negligence Issue | Alan Migdall |
| - Is this an issue for the PTSAC? | |
| 5. New Business/Committee Comments: | Committee |
| - New Business: Dedicate next meeting to budget? | |
| - Next Scheduled Meeting Date: September 16, 2010 | |
| 6. Adjourn | |

1. Committee Business:

Chairman Erwin Mack opened the meeting at 7:02 pm. Mack introduced the minutes from the May meeting.

MOTION: Motion to accept the May 2010 minutes as drafted was moved, seconded, and approved unanimously.

The County Executive is recommending the reappointment of Ramin Assa and Alyce Ortuzar to the PTSAC for another term. This recommendation is being submitted to the County Council and should be acted on in the next two or three weeks. Mack asked that Assa and Ortuzar proceed with their committee work assuming that their reappointments will be approved. Eight candidates for filling Bill Bronrott's former seat will be interviewed next week by Mack, Steve Friedman, Colleen Mitchell and Jeff Dunckel; one candidate will be recommended for membership. Justin is being replaced by Dave Anspacher, representing MNCPPC.

Dunckel explained he and Tom Pogue had just returned from Ocean City, Maryland, where they had been attending the Maryland Municipal League Conference. The County Executive decided to feature the Pedestrian Safety Program as the highlighted activity representing Montgomery County at the 2010 conference. The conference display has been set up in the EOB cafeteria for everyone to see; Dunckel encouraged the committee to check it out. A pedestrian safety beacon was given-

away at the booth; these were very popular at the conference. Beacons were handed out to the committee members. Dunckel and Pogue will also be attending the Maryland Association of Counties in August, representing the County's Pedestrian Safety Program. Overall, the effort was very successful in raising awareness of the pedestrian safety issue at this State-wide conference. Pogue cited that over 600 people were contacted during this activity.

2. Subcommittee Reports, Updates, and Recommendations:

Speed Humps and Traffic Calming: John Britton presented the information he had assembled over the last several months. Britton reviewed the subcommittee recommendation form that had been distributed to the full committee prior to the meeting, as well as other materials he included in his recommendations (see meeting packet). One of the main opposition groups to speed humps is Fire and Rescue groups. Britton included a document summarizing their concerns – the primary concern is delay in fire and rescue response time with speed humps. Overall, the subcommittee recommends the continued use of speed humps, using the procedures now followed by the County that requires extensive outreach and obtaining strong support for the proposed speed humps. Outreach now must not only include residents of the street, but users of the street from the surrounding community. Britton also proposed MCDOT doing further research on Speed Lumps – humps with places for emergency vehicle tires to pass through the hump rather than having to go over the hump. This would lessen the effect of slowing down emergency vehicles. Bicyclists can also proceed through the lumps. More empirical evidence of successful Speed Lump applications is needed. There is not thought to be a significant cost difference between humps and lumps. Britton reminded everyone that the local jurisdictions do their own thing when considering speed humps or lumps. Mack discussed the use of traffic circles in Takoma Park. Traffic calming can involve a whole tool box of possible actions. Alyce Ortuzar expressed support for the use of speed humps like the ones on Bel Pre Road (Speed Tables.)

MOTION: Alan Migdall moved that the Speed Hump and Traffic Calming subcommittee recommendations be approved by the full PTSAC, and that the further investigation of Speed Lumps by MCDOT be added to the recommendation. The motion was seconded. Peter Moe proposed that the recommendation be amended to include the language: The PTSAC recommends the continued use of speed humps as part of a comprehensive approach to traffic calming. John Britton agreed this added language was good. Migdall revised the proposed language to state: the Committee recommends the continued placement of speed humps in neighborhoods, under the current notice and neighborhood involvement procedures, as part of a comprehensive program of traffic calming measures. In addition, Montgomery County should conduct research on Speed Lumps as an alternative method. The Committee encourages the County to continue to evaluate innovative approaches to achieve traffic calming. The revised motion, as read by Migdall, passed unanimously.

Mack thanked Britton for his good work. Dunckel was asked what the county currently does to evaluate innovative approaches like Speed Lumps. Dunckel explained what the County had done to date: that innovative approaches are sought out by the County, where used by other jurisdictions, they are investigated, and then a pilot application in Montgomery County is sought when the innovation has merit. Britton asked whether Rockville could be used to pilot the use of Speed Lumps. **Dunckel said he would pass the request to the Traffic Engineering Division.** Ramin Assa asked what is the process MCDOT follows to decide whether or not these speed humps are placed on a street. The problem must be documented, the street must have at least 600 vehicle trips per day, and 80% of affected residents - - including those on side streets - - must sign a petition saying they support the installation of speed humps.

Sidewalks Subcommittee (Pedestrian Networks): Ramin Assa discussed the sheet distributed in the meeting packet that described what the Sidewalks Subcommittee might look at and how they might proceed. Assa explained that we need to determine what the issue is with sidewalks, so that the key issues can be addressed. In recently discussing this issue with his neighbors, most of his neighbors do not even think about sidewalks. He would like to expand this informal survey to include some civic groups, homeowner associations, and business organizations and others to determine what is the critical need to address with sidewalks. Assa asked the committee how best to reach out to the communities to establish what is needed. There has been ADA issues with sidewalks, and landscaping and snow impediments to sidewalks, but Assa would like to reach out to communities to better define what their issues are. Mack suggested using Britton's Speed Hump Subcommittee report and approach as a model to use with sidewalks, recognizing this could take some time to do well. Assa will notify the entire PTSAC when the Sidewalks Subcommittee is meeting, so anyone who wants to attend can. Mack encouraged the committee members to email Assa any thoughts or ideas they have.

Dunckel pointed out that several of the items on Assa's list were physical inventory issues that the committee had discussed in

the past, and that Migdall's proposal last spring to look at the crossing facilities to construct the model of the existing pedestrian network, to analyze where it needed to be improved or upgraded, also fit into Assa's paradigm of potential issues to address. The PTSAC had also discussed the possibility of targeting such a network inventory to a specific location (such as a CBD) that had potentially heavy pedestrian traffic. This could be an incremental approach to build an inventory to assess needed improvements across the County.

Migdall asked if the PTSAC could vote on his subcommittee's previous recommendation. Migdall's subcommittee recommendation stated that an inventory of the pedestrian network is important and currently does not exist; that it was part of the County Executive's 2007 Pedestrian Safety Initiative (Strategy #2); that to do an inventory is the first step in identifying what is needed; and to implement it, it should be done in a targeted pilot area. Lacking the exact proposal at this meeting, **the PTSAC agreed that Dunckel will distribute the May version of Migdall's Innovative Pedestrian Signal Subcommittee's recommendation when the Draft July Minutes are distributed.** This then can be proposed to the committee in the context of the budget discussion at the September meeting, proposing that a targeted physical inventory of sidewalks be recommended to the County Executive. Moe proposed that the proposal should include the specifics of what would be inventoried and placed in a GIS layer for use by the County to improve sidewalks, and that the importance of at least starting such an inventory is crucial to the program.

Assa asked whether anyone else would like to be involved with the Sidewalks Subcommittee; David Sharp said he wanted to be involved. Moe cited the effect of doing a community based survey is to raise community awareness of the sidewalk issued; Moe cited the existing survey tool used in Safe Routes to School (SRTS,) where parents are given a survey to go out and assess the pedestrian pathways to and from school. Sharp wanted to know more about how we decide to put in concrete sidewalks rather than asphalt sidewalks; Sharp prefers asphalt sidewalks. Ortuzar cited the need to take a specific area like MD 108 which has gaps and holes in its pedestrian network and evaluate the needed improvements - - this could be a cost effective way to improve sidewalk connectivity. Ortuzar would also like to find a way to work with physicians to do outreach to the public, to prescribe physical activity rather than drugs to obtain well being. Moe also cited the need to tap into existing inventories that might already exist for other programs (i.e. SRTS.) Justin Clarke stated that the MNCPPC Master Plans have maps of existing sidewalks; this is a source of information that should be used. Assa will contact Clarke to get that information. Migdall also mentioned the existence of a sidewalk inventory on Google Earth.

Bicycle Access and Safety: Previously, Steve Friedman had provided an extensive review of the successful 2010 bicycle safety legislation from Annapolis: most notably, the 3-foot passing law, and bicycles no longer having to use the shoulder. Now it is up to the State (MDOT) to implement outreach and education on the new laws, and how drivers and bicyclists must obey them beginning October 1. Moe requests that the PTSAC have a role in helping to get the word out to the public and advise on the education effort. Education will emphasize electronic media to broaden outreach. One of the possibilities is some type of press event, possibly involving the County, tied into the October 1 date these laws take effect. This could involve all the interested parties, tying in multiple organizations and groups - - as well as recognizing elected officials who played an important role in passing this legislation. **Moe plans to have a set of requested actions for PTSAC members to consider recommending** for promotion of this outreach effort. Moe's agency is working with MDOT and State Police to create a new law enforcement training video to education officers on the new laws. Moe has advised State Police to talk to Montgomery County Police who have already been doing this.

In September, the BAS Subcommittee would also like to discuss any legislative issues that should be considered for submission to the Office of Intergovernmental Relations for consideration in the 2011 legislative session. For the next session, the BAS Subcommittee would like to discuss the issues earlier so input would be more timely than it was in 2010. Contributory Negligence may be an issue the committee would like to consider discussing at future meetings.

While the subcommittee is not putting forth any specific recommendations at this meeting, there will be some recommendations to consider at the September and the November meetings.

Assa suggested targeting drivers with direct mailings in registrations and license renewals – and using emails. Moe states the best method of communicating is word of mouth between people who know each other. MDOT is intending to use the existing social structure (social media?) to get the word out. Britton suggested using Maryland Municipal League and Maryland Association of Counties to help promote efforts. Migdall suggests putting laws on the Drivers' Test. Targeting enforcement with education of police will be a major emphasis of the MDOT effort.

Ortuzar said she felt that there have been many problems and complaints with MCPD on the reporting of pedestrian collisions, citing as an example, the application of the Boulevard Rule. Moe clarified that the education curriculum for police will include a major component on “right of way,” as it pertains to bicycles, pedestrians, and vehicles. Mack, Migdall, and guest Zachery Levine each shared their experiences with the accident reports for their pedestrian/bicycle collisions being incorrectly prepared.

4. Contributory Negligence Issue:

Maryland is one of several states in the country that has a Contributory Negligence Law, that basically states if a pedestrian or cyclist can be found at fault at all - - even if they are only 1% at fault - - then they have no civil claim against a party at fault in an accident. Mack clarified that the Contributory Negligence Issue will be folded into the BAS Subcommittee discussions at the September and November meetings. The BAS Subcommittee will have a report on the topic in September.

Action: The BAS Subcommittee will prepare a briefing on the Contributory Negligence Issue for the September meeting.

3. Pedestrian Safety Budget – FY11:

Dunckel reviewed the FY 11 Pedestrian Safety Initiative Funding, as approved by the County Council, summarized in the table included in the meeting packet. In FY 10, a \$5 million dollar Pedestrian Safety Initiative was approved by the Council. The table illustrated the significant reduction in FY 11 funding. However, the cut backs were primarily to the additional funding provided in FY 10. A number of these programs had funding that predated the Pedestrian Safety Initiative - - this funding largely remains. An example is the Safe Routes to Schools program: In FY 10, \$254,000 of additional funding was added under the Pedestrian Safety Initiative. In FY 11, this increase was reduced to \$76,000. But with the previous funding in the program, the Safe Routes to School program now has a total approved budget in FY 11 of \$156,000. Even though the program experienced a significant reduction, there is still sufficient funding in most of the activities to continue the progress of improving pedestrian safety. Some of the notable declines or program eliminations include the education program: funding for pedestrian safety education was largely eliminated in the FY 11 budget. Moe pointed out that the State is in the same situation, with significant reductions in program funding. Targeted education in the High Incidence Areas will continue next year, however. Signal timing assessment was reduced as was crosswalk maintenance. Ortuzar stated that she is not a fan of crosswalks because motorists don't stop for pedestrians in crosswalks.

The budget for FY 12 will be discussed in detail at the September meeting. The County will be looking for direction from the committee for the FY 12 budget. **Moe asked that, for the September meeting, a description of the Pedestrian Safety Initiative program elements be provided to the committee** so that the discussion may be an informed one. Bill Selby stated that MCDOT took a significant hit; the County had a 24% budget cut overall in FY 11. Projections indicated that FY 12 may be a year of further budget reductions. Rich Romer stated Councilmember Ervin has requested a Pedestrian Safety Program review for this fall, as suggested by Ken Hartman at last May's meeting: “where we've been, where we're going, and how much we have spent.”

5. New Business/Committee Comments:

Mack thanked Justin Clarke for his service, understanding that his position will be filled by David Anspacher next year. Dunckel asked Clarke to attend the September meeting with Anspacher, to assist the transition. Migdall asked about the Gazette article citing the County's 27 vehicular fatalities in 2010 to date, being double last year's number. Dunckel stated he had not seen the article or press release on that, but that Pedestrian Collisions were not as dire, only slightly elevated over 2009; he will have police speak to this issue at the September meeting. On behalf of Steve Friedman, Moe asked everyone to read the Washington Post article in the meeting packet on bicycles and motorists sharing the roads. Assa asked that everyone submit to him their thoughts and ideas on sidewalks; he is eager to get ideas from the committee. Colleen Mitchell asked to be updated on the status of the Road Code. **Mitchell agreed to draft a 2010 Annual Report to be submitted to the committee for review at the November meeting.** Mack invited the committee to visit after the meeting the Maryland Municipal League display that has been set up in the cafeteria.

5. Adjourn: Meeting Adjourned at 8:58 pm

Next Scheduled Meeting Date: September 16, 2010

H:\CommOutreach\Pedestrian Safety\PTSAC\Agendas-Minutes\meeting minutes\2010\July\Minutes for PTSAC 7-1-10-Draft.doc